

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 01-3554

United States of America,

Appellee,

v.

William Younger, Jr.,

Appellant.

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Appeal from the United States
District Court for the
Western District of Missouri.

[UNPUBLISHED]

Submitted: March 7, 2002
Filed: March 13, 2002

Before LOKEN, BYE, and RILEY, Circuit Judges.

PER CURIAM.

William Younger pleaded guilty to possessing cocaine base with intent to distribute, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(C) (Count 1), and being a felon in possession of a firearm, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2) (Count 3). The district court,¹ after granting Younger's motion for downward departure, sentenced him to concurrent prison terms of 144 months on Count 1 and 120 months on Count 3, and concurrent 3-year terms of supervised release. On appeal, counsel has moved to withdraw under Anders v. California, 386

¹The HONORABLE HOWARD F. SACHS, United States District Judge for the Western District of Missouri.

U.S. 738 (1967), and filed a brief arguing the district court should have granted a larger downward departure.

We conclude that the extent of the district court's departure is unreviewable. See United States v. Puckett, 147 F.3d 765, 772 (8th Cir. 1998). Moreover, following our independent review, see Penson v. Ohio, 488 U.S. 75 (1988), we find no non-frivolous issues.

Accordingly, we affirm, and we grant counsel's motion to withdraw.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.